

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

BRITTNEY TUCKER,

Plaintiff,

v.

**SAFE GUARD PRODUCTS
INTERNATIONAL, LLC,**

Defendant.

CIVIL ACTION FILE

NO. 1:21-cv-00180-MHC-AJB

NOTICE TO PARTIES

The time for conducting discovery in the above-styled case has expired, and dispositive motions are due on or before August 5, 2021. *See* [Doc. 20]; LR 56.1(D), NDGa. In anticipation of the filing of summary judgment motion(s), the Court reiterates the direction from the Scheduling Order entered in this matter on March 9, 2021, [Doc. 20], as follows.

1. Whenever a motion for summary judgment is filed, the movant shall also file a separate “Statement of Undisputed Material Facts.” Each fact shall be separately numbered with citations to the record in support of the fact. In the response, the non-moving party shall respond to each numbered fact by number, admitting or

denying the fact, and providing citations to the record to support any denial. The Court will “disregard or ignore evidence relied on by the respondent – but not cited in its response to the movant’s statement of undisputed facts – that yields facts contrary to those listed in the movant’s statement.” *Reese v. Herbert*, 527 F.3d 1253, 1268 (11th Cir. 2008); *see also* LR 56.1B(2), NDGa. If the non movant submits a statement of disputed facts, the movant shall respond in accordance with LR 56.1B(1)-(3), NDGa.

2. The non-moving party shall file a response to the moving party’s motion within twenty-one (21) days of the service of the motion. LR 7.1(B), NDGa. The response shall include a legal memorandum, affidavits, and other evidence establishing the existence of a genuine issue for trial. In the absence of a timely response, the Court will take the motion under advisement twenty-two (22) days from the date the motion for summary judgment was served. Unless otherwise ordered, the Court will not hold a hearing on the motion. Failure to respond to the motion may result in the entry of judgment for the movant.

3. All facts asserted in briefs must be supported by citations to the corresponding statements of material fact. Briefs that cite directly to the record evidence rather than to the statements of material fact are **NOT** acceptable. Citations

to statements of material fact should immediately follow each allegation of fact and should appear in the text of the brief, not in footnotes.

4. Depositions that are referred to by either party in support of, or in opposition to, a motion for summary judgment **SHALL** be electronically filed with the Clerk. The electronically filed deposition **MUST** be an original certified copy.

5. Absent **prior** written permission by the Court, no party may file a brief in support of a motion or a response to a motion exceeding twenty-five (25) double-spaced pages in length, and no party may file a reply brief exceeding fifteen (15) double-spaced pages. A motion requesting an increase in the page length for a brief must be filed prior to the due date for the brief. The text of a brief, including footnotes, may not be printed in a format producing more than ten (10) characters per inch. LR 7.1D., NDGa.

6. The Consolidated Pretrial Order will be due thirty (30) days after the District Court's final ruling on the motion for summary judgment if there are matters left to be tried.

The parties are also reminded that this Court's Local Rules require that "[t]he parties must individually label all electronically uploaded files according to their content. For example, documents should be uploaded as Ex. A: Smith Deposition,

Ex. B: Employment Contract, and Ex. C: Jones Letter, instead of Ex. A, Ex. B, and Ex. C.” LR, NDGa, App. H -A11 ¶ 9.

Otherwise, motions for summary judgment and responses thereto **SHALL** be filed in compliance with the Federal Rules of Civil Procedure and the Local Rules of this Court. Noncompliant filings may result in sanctions, which may include the disregard of statements of fact or evidence or the striking of briefs.

IT IS SO ORDERED, this 10th day of July, 2021.



ALAN J. BAVERMAN
UNITED STATES MAGISTRATE JUDGE